

**Paul N. Tauger (Admitted Pro Hac – CA Bar No. 160552)**

Email: pnt@eclipsegrp.com

**Anna M. Vradenburgh (Admitted Pro Hac – CA Bar No. 163212)**

Email: amv@eclipsegrp.com

THE ECLIPSE GROUP LLP

2020 Main Street, Suite 600

Irvine, CA 92614

Telephone: 949-851-5000 ext. 110

Facsimile: 949-851-5051

**Devon Zastrow Newman, OSB #014627**

Email: dnewman@schwabe.com

**Catherine B. Brinkman, OSB #002134**

Email: cbrinkman@schwabe.com

SCHWABE, WILLIAMSON & WYATT, P.C.

1211 SW 5th Ave., Suite 1900

Portland, OR 97204

Telephone: 503-222-9981

Facsimile: 503-796-2900

Attorneys for Defendant and Counterclaimant Tenza Trading Ltd.

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

**CALISTA ENTERPRISES LTD,** a  
Republic of Seychelles Company,

Plaintiff,

vs.

**TENZA TRADING LTD.,** a Cyprus  
Company,

Defendant.

No. 3:13-cv-01045-SI

Tenza Trading Ltd's Notice of Compliance with  
This Court's Order of March 14, 2014

Pursuant to this Court's Order of March 14, 2014, Defendant and Counterclaimant Tenza Trading Ltd confirms its compliance therewith as follows:

Regarding knowledge of Calista's use of the disputed mark before Tenza was created, Steve Matthyssen submitted to deposition, both as an individual and as a designated witness for Tenza, as to his and Dreamstar's knowledge of Calista's use of the term "porntube" both prior and subsequent to Tenza's formation.

1. On February 27, 2014, at deposition as noticed, Michael Cardone provided testimony pursuant to both Calista's 30(b)(6) deposition notice of Tenza and Calista's notice of his deposition as an individual and provided testimony as to his knowledge of EMC Ideas, Inc.'s enforcement efforts regarding the registered trademark PORNTUBE. No documents reflecting such efforts exist within Mr. Cardone's possession, custody or control.
2. Calista has submitted supplemental interrogatories, and Tenza has responded, regarding the number of affiliates within the affiliate program administered for [www.porntube.com](http://www.porntube.com), and Calista's ranking therein. Tenza has produced information reflecting the total number of visitors to [www.porntube.com](http://www.porntube.com) and such information as it maintains and tracks regarding the demographics of said visitors. Tenza has also identified the aggregate amount of money paid to its affiliates and identified what information regarding its affiliates are tracked.
3. Tenza has produced a copy of the "coexistence agreement" negotiated with WMM Holdings, LLC.

4. Mr. Matthyssen has produced all communications between Mr. Matthyssen and Calista.
5. Tenza has disclosed how much it spends on advertising, marketing and promotion.  
Tenza has disclosed information regarding its total revenues.
6. Calista served, and Tenza responded to, a new interrogatory seeking information regarding who within Tenza may have had knowledge regarding Calista's relevant actions or who may have had related discussions.
7. Tenza has produced all documents reflecting communications with third parties about Calista.
8. Tenza has produced documents sufficient to establish how much compensation Tenza paid to Calista.
9. Tenza and Calista reached agreement regarding the subpoena issued to GoDaddy.com by Calista. Tenza therefore withdraws its objection thereto.

Date: March 17, 2014

Respectfully submitted,



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Paul N. Tauger, Admitted *Pro Hac Vice*  
Anna M. Vradenburgh, Admitted *Pro Hac Vice*  
THE ECLIPSE GROUP LLP  
Telephone: 949-851-5000 ext. 110  
Facsimile: 949-851-5051

Devon Zastrow Newman, OSB #014627  
Catherine B. Brinkman, OSB #002134  
SCHWABE, WILLIAMSON & WYATT, P.C.  
Telephone: 503-222-9981  
Facsimile: 503-796-2900

Attorneys for Defendant Tenza Trading Ltd.